FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

The Petitioner herein requests a variance from Section 1802.3.C. of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 9 ft. side yard setback, in lieu of the required 10 ft., in a D.R.10.5 zone, for an addition, as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship o o o upon the Petitioner.

Affidavit in support of Administrative Variance

1608 Hardwick Rd.

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative

This one foot that I am requesting is necessary

in order to keep the new addition in uniform with the

existing house. This one foot is also necessary to keep

the new addition square because of the amount of clearance

needed for the existing basement stairwell and the new

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and

FAITH E. RODGERS NOTARY PUBLIC STATE OF MARYLAND My Commission Expires December 12, 1005

testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at __

may be required to provide additional information.

AS WITNESS my hand and Notarial Scal

Hugust 5,1552

Variance at the above address: (indicate herdship or practical difficulty)

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

ORDERED by the Zoning Commissioner for Baltimore Variance from Section 1B02.3.C. of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 9 ft. side yard setback, in lieu of the required 10 ft., for an addition, in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> > -2-

Zoning Commissioner for Baltimore County

THE DESCRIPTION -3 copies required

Three copies of the zoning description of your property are required. Type or print this description, standard 8-1/2" x 11" sheets are acceptable. Host property descriptions, as stated on a deed, do not have adequate information. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 1608 HARDWICK RD. Beginning at a point on the NORTH side of HARDWICK PD.

(north, south, east or west) 60' (name of which is 60')

which is 60'
street on which property fronts)
wide at the distance of (number of feet of right-of-way 5.E.,

width) (number of feet) (north, south, east or f the centerline of the nearest improved intersecting street PLEASANT PLAINS ROAD

as recorded in Baltimore County Plat Book #(17), Folio #(60), (608 HARDWICK Ed. and located in the (9) Election District.

> *If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber (___), Folio (___) and include the measurements and directions (metes and bounds only) here and on the plat in the correct

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., 8.18° 27' 03" E. 87.2 ft., 5.62° 19' 00" W. 318 ft., and N.O8° 15' 22" W.80 ft. to the place of beginning.

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MĎ 21204

(410) 887-4386

September 16, 1992

Ms Helen Mooney Murphy 1608 Hardwick Road Towson, Maryland 21204

> RE: Petition for Residential Zoning Variance Case No. 93-34-A 1608 Hardwick Road

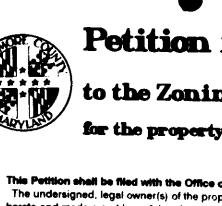
Dear Ms. Murphy:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Zoning Commissioner

LES:mmn encl.



REWLIRED 101

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1608 Hardwick Rd. which is presently zoned DR 10.5 This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(a) 1802.3.C OF THE BEZZ

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons, (indicate hardship or

TO PERMIT A 9' SIDE YARD SETBALK IN LIEU CF THE

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

Contract Purchaser/Lessee Helen Mooney Murphy (Type or Print Name) 1608 Hardwick Rd. 821-5711 (Type or Print Name) Towson Md _ State Name. Address and phone number of legal owner, contract purchaser or representative. MARK

A Public Hearing having been requested and/or found to be required: It is ordered: by the Zoning Commissioner of Baitmore County, this 🛫 day of that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County in two newspapers of general

Zaning Commissioner of Bustimore County

We do solemnly declare and affirm, under the penalties of percury, that live are the

107826	
6150	-
35.00	- 3
	- :
	- 1

111 West Chesapeake Avenue

PUBLIC HEARING FEES

Account: R-001-6150

H7300046

010 - ZONING VARIANCE (IRL) \$50,00 080 -POSTING SIGNS / ADVERTISING 1 X TOTAL: LAST NAME OF OWNER: MURPHY

Please Make Checks Payable To: Baltimore County

Variance

MISCELLANEOUS CASH RECEIPT COMPUTER

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

1607 Hordwitz Rd

Location of property: N/S Herd with Rd., 250' S/E Plasson Folia Rd

Location of Signer Facing 4000 Way, an property of Pet, hower

VALIDATION OR SIGNATURE OF CASHIER

0.07 400

\$85.00



111 West Chesapeake Avenue Towson, MD 21204

August 31, 1992

(410) 887-3353

Ms. Helen Mooney Murphy 1608 Hardwick Road Towson, MD 21204

> RE: Item No. 46, Case No. 93-34-A Petitioner: Helen Mooney Murphy Petition for Administrative Variance

Dear Ms. Murphy:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Perring Woods Court Corporation

Perring Woods Court Corporation

DED DPERM RP STP TE

DED DPERM RP STP TE

Michael E. Turley

Printed on Recycled Paper

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 7th day of July, 1992

Baltimore County Government 8/17/9~

ZONING DELICE

(410) 887-4500

Fire Department

Zoning Plans Advisory Committee

Petitioner: Helen Mooney Murphy Petitioner's Attorney:

Printed on Recycled Paper

700 East Joppa Road Suite 901 AUGUST 17, 1992 08/31/92 DPW/Traffic Engineering Towson, MD 21204-5500 Development Review Committee Response Farm

Authorized signature www. L. L. Date 43/52 Arnold Jablon Director Zoning Administration and Zoning Issue Meeting Date Waiver Number File Number Development Management Baltimore County Office Building Stonegate at Patapsco (Azreal Property) Towson, MD 21204 ZON DED TE (Waiting for developer to submit plans first) RE: Property Owner: HELEN MOONEY MURPHY COUNT 1 #1608 HARDWICK ROAD / James And Linda Heier 8-24-92 Zoning Agenda: AUGUST 17, 1992 / Allan L. Snyder Et. Al. Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be DED DEPRM RP STP TE corrected or incorporated into the final plans for the property. / Salvo Auto Parts 7. The Fire Prevention Bureau has no comments at this time. Adela M. Lombardi And Florence Kunsky Fire Prevention Bureau Special Inspection Division Helaine G. And Melvin R. Trosch JP/KEK Baltimore Country Club of Baltimore City Robert E. And Cynthia A. Lyons

Project Name		≥ /	
File Number	Waiver Number	Zoning Issue	Meeting Date
. ZON DED TE (Wai	Patapsco (Azreal	to submit plans fire	6-1-92 st)
COUNT 1			
James And Lir		35	8-24-92 NC
Allan L. Snyo		36	:===== نار
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	: ====================================		NC
DED DEPRM RP STP TE	:	38	NC
DED DPERM RP STP TE	d Melvin R. Trosch	n 39	NC
DED DPERM RP STP TE	ntry Club of Balti	40	NC
DED DEPRM RP STP TE	Cynthia A. Lyons	43	NC
DED DPERM RP STP TE	Court Corporation	44	NC
Perring Woods DED DPERM RP STP TE	Court Corporation	45	NC
Helen Mooney & DED DPERM RP STP TE	Murphy		NC
Michael E. Tur		47	Comment
74545545555555555	:2==2=================================		

08/27/92 Development Review Commit Authorized signature Derma a. Kenned Date 3/31/92 BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director DATE: August 28, 1992 Zoning Administration and Development Management

Ervin Mc Daniel

SUBJECT: Petitions from Zoning Advisory Committee

Office of Planning and Zoning

In reference to the Petitioner's request, staff offers no comments on the following items:

Item No. 35 Item No. 38 Item No. 39 Item No. 46 Item No. 43 Item No. 57

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

EMcD:rdn

NOCOMMT/ZAC1

Department of Recreation and Parks Development Review Committee Response Form
Authorized signature Date 8/3/4 Project Name File Number Waiver Number Meeting Date Robert E. And Cynthia A. Lyons ED DEPRM RP 51P 1E Perring Woods Court Corporation ED DPERM RP STP TE Perring Woods Court Corporation DED DPERM RP STP TE EU DERNI RE SIE IE Helen Mooney Murphy ED DPERM RP STP TE DED DPERM RP STP TE Michael E. Turley DED DEPRM RP STP TE James Enterprises DED DEPRM RP STP TE White Marsh Joint Venture DED DEPRM RP STP TE ED DEPRM RP STP TE Salvo Realty, Inc. ED DEPRM RP STP TE DED DEPRM RP STP TE Robert T. and Lorri A. Burgess DED DPERM RP STP TE ED DPERM RP STP TE Chester L. And Virginia J. Farley DED DEPRM RP STP TE Mark Allan Claypoole ED DPERM RP STP TE DED DPERM RP STP TE Ritz Enterprises ED DEPRM RP STP TE DED DEPRM RP STP TE

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

August 13, 1992

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

1608 Hardwick Road Towson, Maryland 21204

> LOCATION: N/S Hardwick Road, 250' SE from c/l Pleasant Plains Road 1608 Hardwick Road 9th Election District - 4th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before August 23, 1992. The closing date is September 8, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

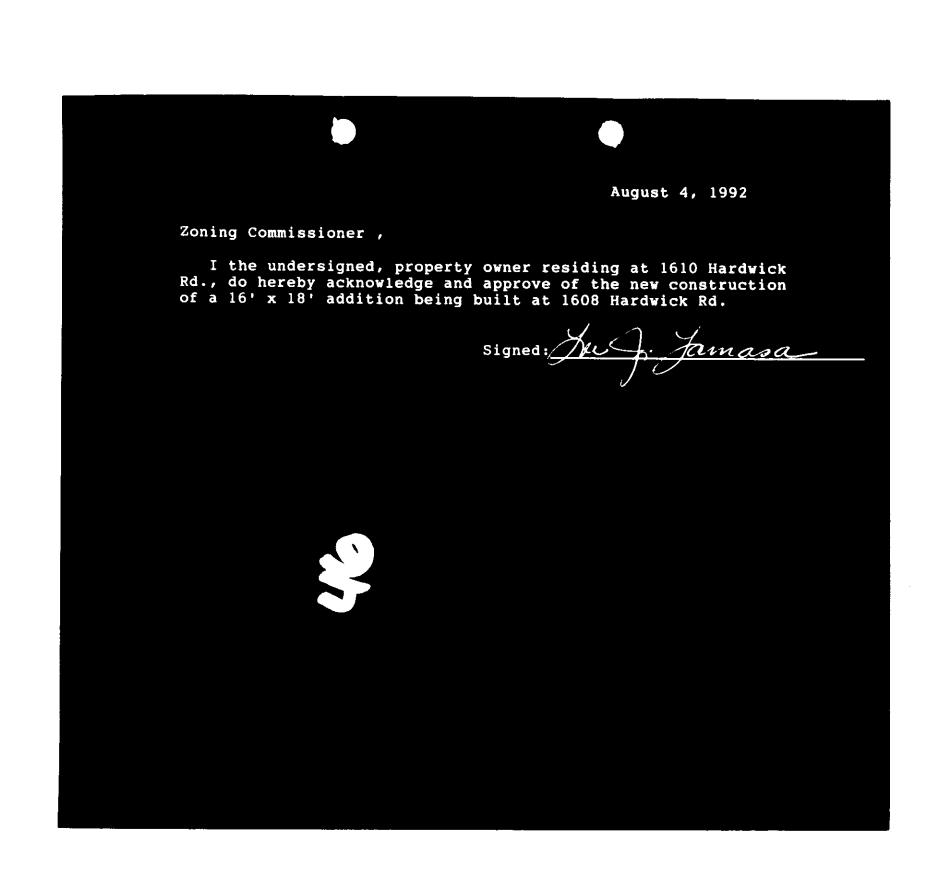
2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s).

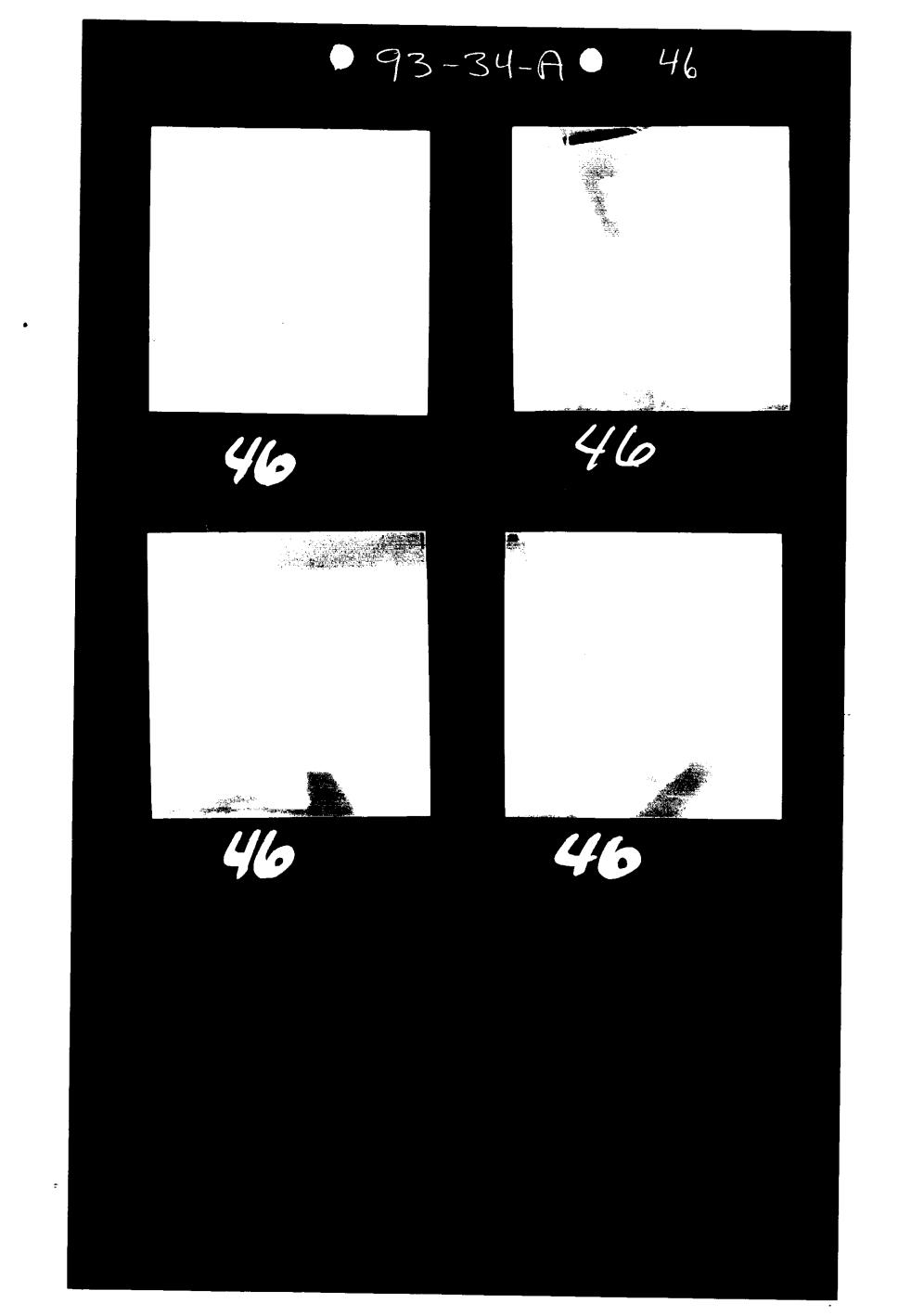
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

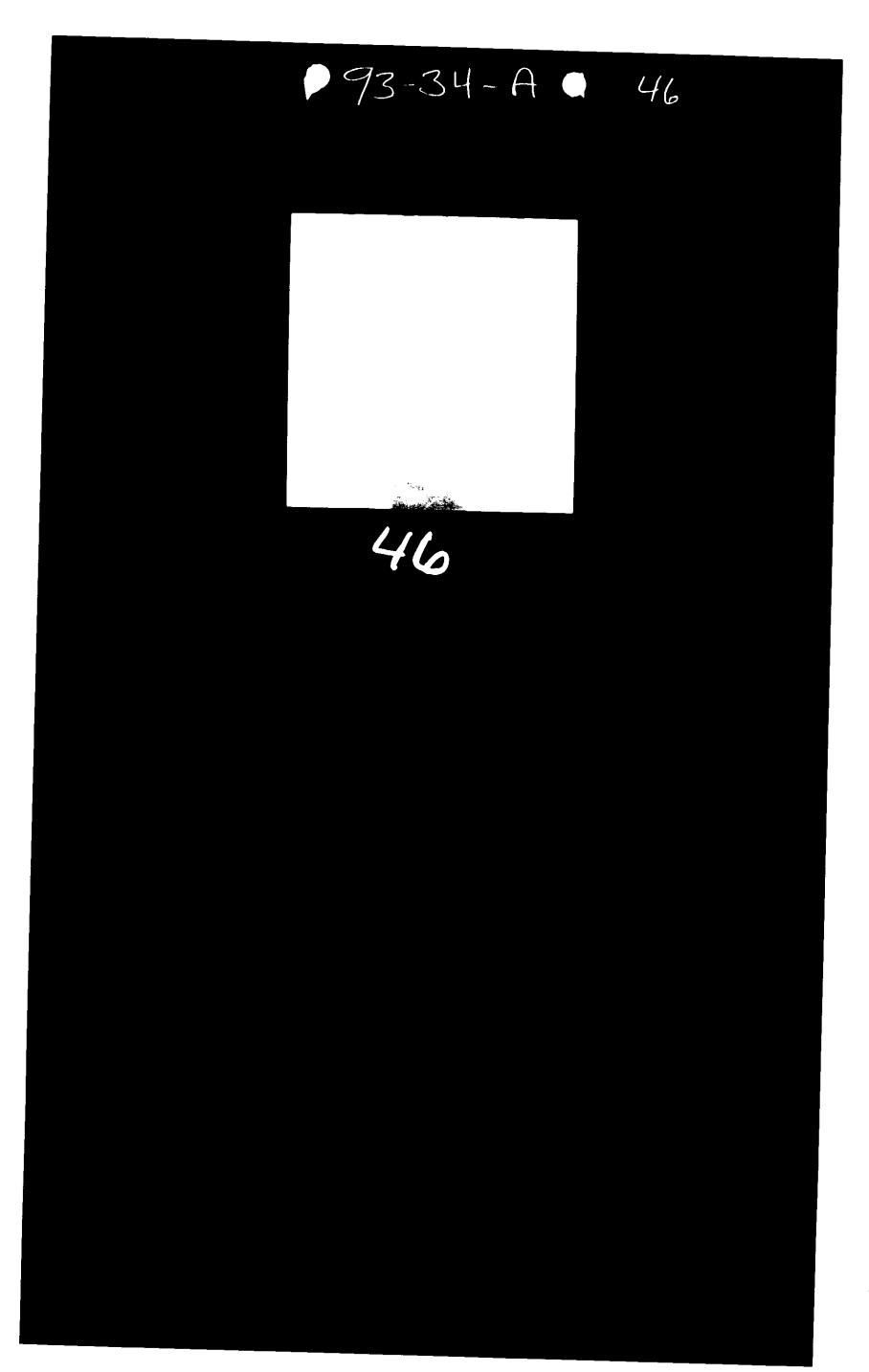
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

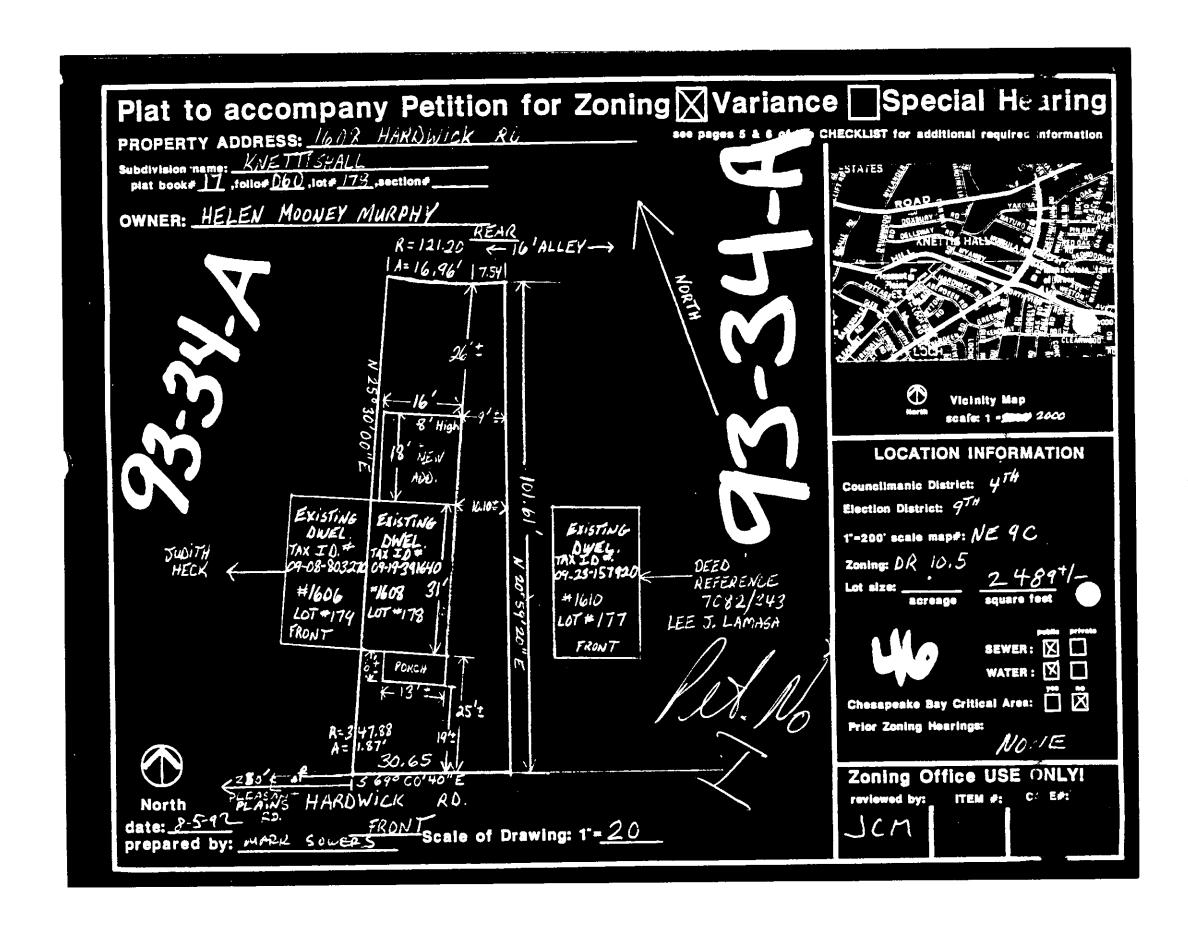
Zoning Commissioner, Baltimore County











4-18-26